

Message Text

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53

ACTION IO-13

INFO OCT-01 ISO-00 OES-06 NRC-07 ACDA-10 CIAE-00 INR-07
L-03 NSAE-00 NSC-05 EB-07 FEAE-00 DODE-00 EUR-12 /071 W
----- 015276

R 061439Z DEC 76

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 8437

INFO USERDA HQ WASHDC

USERDA HQ GERMANTOWN

UNCLAS IAEA VIENNA 10018

PASS IO/SCT; ALSON PASS NRC

E.O. 11652: N/A

TAGS: IAEA, TECH

SUBJECT: IAEA REQUEST FOR INFO REGARDING COMPENSATION CLAIMS
FROM RADIATION WORKERS

1. MISSION HAS RECEIVED LETTER FROM AGENCY WITH
TEXT AS FOLLOWS:

QUOTE. AS YOU ARE AWARE, WE ARE PRESENTLY
DEALING WITH A CLAIM FOR COMPENSATION INITIATED BY
A LABORATORY TECHNICIAN WHO WORKED WITH RADIOACTIVE
SUBSTANCES AND SUFFERS FROM LEUKAEMIA WHICH MIGHT
BE DUE TO THAT WORK.

QUOTE. WE WOULD BE VERY INTERESTED TO KNOW ABOUT
THE ATTITUDE THE UNITED STATES FEDERAL AND STATE
AUTHORITIES AS WELL AS COURTS TAKE IN REGARD TO
COMPENSATION CLAIMS FROM RADIATION WORKERS UNDER
INDUSTRIAL INJURIES LEGISLATION. DOES A STRICT
LIABILITY DOCTRINE PREVAIL IN THESE CASES? IS THERE
A PRESUMPTION IN FAVOR OF THE CLAIMANT SUFFERING
FROM CERTAIN DISEASES "TYPICAL" FOR RADIATION
WORKERS THAT CONTINUED OR REGULAR WORK UNDER
EXPOSURE TO IONIZING RADIATION HAS LED TO THAT
DISEASE? IS IT RELEVANT THAT THE CLAIMANT CAN
SHOW NEGLIGENCE ON THE PART OF THE EMPLOYER IN
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THAT HE FAILED TO USE THE MOST MODERN AND UP-TO-

DATE HEALTH PHYSICS INSTRUMENTS?

QUOTE. IT WOULD BE OF GREAT HELP TO US IF WE
KNEW WHAT THE LAW AND PRACTICE IN THE U.S. IN
THIS AREA IS. ANY HELP YOU COULD GIVE US IN THIS
REGARD WOULD BE VERY MUCH APPRECIATED. UNQUOTE.

2. PLEASE ADVISE.STONE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, NUCLEAR HAZARDS, WORKMENS COMPENSATION INSURANCE
Control Number: n/a
Copy: SINGLE
Draft Date: 06 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976IAEAV10018
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760450-0780
From: IAEA VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761270/aaaaciqx.tel
Line Count: 69
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: wolfsd
Review Comment: n/a
Review Content Flags:
Review Date: 22 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <22 JUN 2004 by hattaycs>; APPROVED <02 AUG 2004 by wolfsd>
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Margaret P. Grafeld
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EO Systematic Review
04 MAY 2006

Review Media Identifier:
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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IAEA REQUEST FOR INFO REGARDING COMPENSATION CLAIMS FROM RADIATION WORKERS
TAGS: TECH, IAEA
To: STATE
Type: TE
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